

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services- Survey and Land Records Department- Allegation of corruption against Sri Kumara Mohana Chary, Surveyor, Office of Tahsildar, Yadagirigutta Mandal, attached to the Office of Revenue Divisional Officer, Bhongir, Nalgonda District - Sanction of Prosecution Order- Issued.

Revenue Vig.(IV(2)Department

G.O.Ms.No. 72,

Dated:- 23-01-2009.

ORDER:

Whereas, Sri Kumara Mohana Chary son of Venkata Chary, Joined Government Service on 1-4-1980. He worked as Surveyor, in the office of Tahsildar, Yadagirigutta (M), attached to the Office of the Revenue Divisional Officer, Bhongir, Nalgonda District from 14-06-2007 to 17-05-2008 and by virtue of the post held by him falls under category of public servant as defined under section 2 (c) of the Prevention of Corruption Act,1988 (Central Act 49 of 1988);

2. And whereas, it is alleged that Sri Singireddi Purushotham Reddy is native of Palagudu (V), Mothkur(M) Nalgonda District. Sri Purushotham Reddy is having an extent of 15 acres of Sweet Lemon Orchard in Sy.No.94,95 and 96 at Duppalli (V) of Athmakur (M) Nalgonda District. About two months ago Sri Purushotham Reddy submitted an application to the Revenue Divisional Officer, Bhongir with a challan for Rs.375/- for demarcation of his land for record purpose. About one month ago Sri K. Purushotham Reddy was informed by the Revenue Divisional Officer's office that his application was entrusted to Sri Kumara Mohana Chary, Surveyor for surveying his land. Then Sri Purushotham Reddy met Sri Kumara Mohana Chary, Surveyor, at Revenue Divisional Offices Office, Bhongir and the Surveyor fixed the date on 13-05-2008 to survey his land . Accordingly, Sri Kumara Mohana Chary, Surveyor visited his village on 13-05-2008 and

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Surveyed his land and conducted panchanamma in the presence of neighboring farmers and Village elders. Then Sri Purushotham Reddy requested to furnish the copy of panchanamma and land map. But Sri Kulmara Mohana Chary, Surveyor asked him to come to his house situated at Yadagiri Gutta on 16-05-2008. As per the instructions of Sri Kumara Mohana Chary, Surveyor, Sri Purshotham Reddy went to the house of Kumara Mohana Chary, Surveyor, at Yadagiri Gutta on 16-05-2008 at about 08.00 hours and requested to furnish the copy of Panchanamma and land map. Sri Kumara Mohana Chary, Surveyor demanded an amount of Rs.5,000/- as bribe to furnish the said copies. Sri Purushotham Reddy pleaded that he is a farmer and not in a position to pay that much amount as bribe but Sri Kumara Mohana Chary did not heed to his request and stated that if the demanded bribe amount of Rs.5000/- is not paid, he would not furnish the copies of Panchanamma. As Sri Purushotham Reddy had no other go, agreed to pay the bribe and returned saying that he would come and meet him on the next day i.e., on 17-05-2008 with the bribe amount . As Sri Purushotham Reddy was not willing to pay any bribe to Sri Kumara Mohana Chary, Surveyor, Sri Purushotham Reddy approached the Anti Corruption Bureau, and requested to take necessary legal action against Sri Kumara Mohana Chary, Surveyor, attached to Revenue Divisional Officer Office, Bhongir of Nalgonda District. The Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Range, Hyderabad after due enquiry registered a case in Cr.No.8/ACB-HR/2008 under section 7 of the Prevention of Corruption Act,1988 on 17-05-2008 at 6.20 A.M. and investigated into;

3. And whereas, it is alleged that on the date of trap i.e., on 17-05-2008 Sri Purushotham Reddy, the complainant and Sri Tummala Surender Reddy, accompanying Witness were proceeded on foot to the house of Sri K.Mohana Chary, Surveyor, entered the compound through the gate and found the main door of the said house open and Sri Kumara Mohana Chary sitting on a chair in the front room. On seeing them Sri Kumara Mohana Chary, Surveyor welcomed them inside and offered them chairs available in front of him. Then, Sri Kumara Mohana Chary enquired with Sri Purushotham Reddy

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about the bribe amount. On the positive reply of Sri Purushotham Reddy, Sri Kumara Mohana Chary asked him to pay. Then Sri Purushotham Reddy took out the wad of currency notes from his left shirt pocket and paid to Sri K.Mohana Chary, Surveyor, Sri K.Mohana Chary, Surveyor accepted the said amount with his right hand, counted the tainted amount with both hands and kept the same in his front left shirt pocket and asked Sri Purushotham Reddy to file a petition for the copies of panchanamma conducted by him. Sri Tummala Surender Reddy, accompanying witness went out side of the house of Sri Kumara Mohana Chary and gave pre-arranged signal to the Trap Party. After the trap both left and Right hand fingers and the inner flap of the left front shirt pocket of Sri Kumara Mohana Chary, when subjected to Phenolphthalein test yielded positive results. The tainted amount of Rs.5,000/- was recovered from the possession of Sri Mohana Chary, Surveyor from his wearing left front shirt pocket and the said amount of Rs.5000/- was seized under cover of Post trap Proceedings;

4. And whereas, the said acts of Sri Kumara Mohana Chary, Mandal Surveyor, Office of the Tahsildar, Yadagiri gutta Mandal attached to the Office of Revenue Divisional Officer, Bhongir, Nalognda District constitutes the offences punishable under sections 7 and 13 (2) read with section 13(1)(d) of the Prevention of Corruption Act,1988 (Central Act 49 of 1988);

5. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri Kumara Mohana Chary, Surveyor, Office of the Tahsildar, Yadagiri gutta Mandal, attached to the office of Revenue Divisional Officer, Bhongir, Nalgonda District from Government service, after carefully examining the material placed before them in respect of the above said allegations and having regard to the facts and circumstances of the case, consider that the said Sri Kumara Mohana Chary, Surveyor, Office of Tahisldar, Yadagiri Gutta Mandal, attached to the Office of the Revenue Divisional Officer, Bhongir, Nalgonda District should be prosecuted in a court of law for the aforesaid offences.

6. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act,1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Kumara Mohana Chary, Surveyor, Office of the Tahsildar, Yadagiri Gutta Mandal, attached to the office of Revenue Divisional Officer, Bhongir, Nalgonda District for the

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aforesaid offences punishable under section 7 and section 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act,1988 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.SAMUEL,
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General, Anti Corruption Bureau, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER